

FILING BY "EXPRESS MAIL" UNDER 37 CFR 1.10

EV 72 46 16 105 45
Express Mail Label Number12/2/05
Date of Deposit

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF

Art Unit: 1630

CAMPION ET AL.

APPLICATION NO: 10/537,869

FILED: JULY 6, 2005

FOR: COMBINATIONS OF VALSARTAN WITH COX-2 INHIBITORS

MS: PCTCommissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450RESPONSE TO NOTICE TO FILE MISSING PARTS

Sir:

The Notice to File Missing Parts of Application mailed October 6, 2005 (a copy of which is enclosed) has a shortened statutory time set to expire on December 6, 2005.

In response, applicants submit that on July 6, 2005 an original fully executed Declaration and Power of Attorney was submitted with a Transmittal Letter stating that this is a Second or Subsequent Submission of items concerning a filing under 35 U.S.C 371 and the surcharge fee under 37 CFR § 1.16(e) of \$130.00 was authorized to be charged to Deposit Account No. 19-0134 in the name of Novartis Corporation. Copies of the submission dated July 6, 2005 as well as the returned postcard indicating that these papers were sent and received by the Patent and Trademark Office (PTO), PCT Branch are enclosed herewith. It is noted, that on October 31, 2005 a Notice of Acceptance of Application under 35 U.S.C 371, dated October 25, 2005 was received by Applicants confirming that all the requirements have been received in the PTO (a copy is enclosed herewith).

It is believed that no additional fee is necessary. However, the Commissioner is hereby authorized to charge any fees under 37 CFR §1.17 which may be required, or credit any overpayment, to Account No. 19-0134 in the name of Novartis.

Respectfully submitted,

Novartis
Corporate Intellectual Property
One Health Plaza, Building 104
East Hanover, NJ 07936-1080
(862) 778-7831
Date:

12/1/05



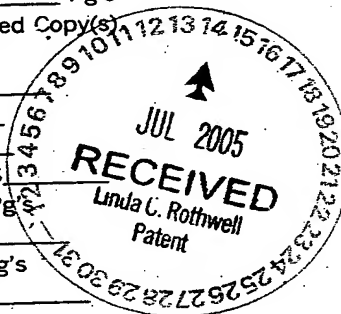
Gregory D. Ferraro
Attorney for Applicants
Reg. No. 36,134

Case No. PC/4-32818A
Application No. 10/537869
Mailing Date: 7/6/05
Due Date: JC04 Rec'd PCT/PTO 06 JUL 2005
Express Mail No.: EV524615577 US

The Patent & Trademark Office acknowledges, and has stamped
hereon the date of receipt of the items checked below:

- ☐ Amendment/Response/Letter - Fee \$ _____
☐ Appln. Filing Papers - Fee \$ _____
 ☐ PCT National Stage
 ☐ Provisional Application
 ☐ RCE ☐ DIV ☐ CONT ☐ CIP
 ☐ Specification _____ Pg's
☒ Executed/Unexecuted Decl. - Fee \$ 130.00
 ☐ Missing Parts/Missing Req.
☐ Preliminary Amendment _____ Pg's
☐ Claim of Priority ☐ Certified Copy(s)
☐ Amendment After Final
☐ Notice of Appeal - Fee \$ _____
☐ Appeal Brief - Fee \$ _____
☐ Issue Fee Payment \$ _____
☐ Assignment Rec. Req. - Fee \$ _____
☐ Formal Drawings _____ Pg's
☐ IDS _____ Pg's - Fee \$ _____
☐ PTO-1449 Form _____ Pg's
☐ Pet. for Ext. of Time - Fee \$ _____
☐ Application Data Sheet
☐ Seq. Listings _____ Pg's/Seq. Disk

GDF
Initials



EV 524615577/US
Express Mail Label NumberJuly 6, 2005
Date of Deposit

Form PTO-1360-MOD (REV 10-98)		U. S. Department of Commerce Patent and Trademark Office		ATTORNEY'S DOCKET NUMBER PC/4-32818A	
TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A FILING UNDER 35 U.S.C. 371				U.S. APPLICATION NO. (If known, see 37 CFR 1.5)	
				10/537,869	
INTERNATIONAL APPLICATION NO. PCT/EP03/14406		INTERNATIONAL FILING DATE 17 December 2003 (17.12.03)		PRIORITY DATE CLAIMED 18 December 2002 (18.12.02)	
TITLE OF INVENTION COMBINATIONS OF VALSARTAN WITH COX-2 INHIBITORS					
APPLICANT(S) FOR DO/EO/US CAMPION ET AL.					

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☐ This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
2. ☒ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.
3. ☐ This express request to begin national examination procedures (35 U.S.C. 371(f)) at any time rather than delay examination until the expiration of the applicable time limit set in 35 U.S.C. 371(b) and PCT Articles 22 and 39(1).
4. ☐ A proper Demand for International Preliminary Examination was made by the 19th month from the earliest claimed priority date.
5. ☐ A copy of the International Application as filed (35 U.S.C. 371(c)(2))
 - a. ☐ is transmitted herewith (required only if not transmitted by the International Bureau).
 - b. ☐ has been transmitted by the International Bureau. (See Form PCT/IB/308)
 - c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US).
6. ☐ A translation of the International Application into English (35 U.S.C. 371(c)(2)).
7. ☐ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3)).
 - a. ☐ are transmitted herewith (required only if not transmitted by the International Bureau).
 - b. ☐ have been transmitted by the International Bureau.
 - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
 - d. ☐ have not been made and will not be made.
8. ☐ A translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371 (c)(3)).
9. ☒ An executed Declaration and Power of Attorney (original or copy) (35 U.S.C. 371(c)(4)).
10. ☐ A translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).

Items 11. to 16. below concern document(s) or information included.

11. ☐ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
12. ☐ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
13. ☐ A FIRST preliminary amendment.
☐ A SECOND or SUBSEQUENT preliminary amendment.
14. ☐ An Application Data Sheet under 37 CFR 1.76.
15. ☐ A substitute specification.
16. ☐ A change of power of attorney and/or address letter.
17. ☐ A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821-1.825.
18. ☐ A second copy of the published International Application under 35 U.S.C. 154(d)(4).
19. ☐ A second copy of the English language translation of the International application under 35 U.S.C. 154(d)(4).
20. ☐ Other items or information:

U.S. APPLICATION NO. (if known, see 37 CFR 1.5) 10/537,869		INTERNATIONAL APPLICATION NO. PCT/EP03/14406		ATTORNEY'S DOCKET NUMBER PC/4-32818A	
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The following fees are submitted:					CALCULATIONS PTO USE ONLY	
21.	Basic national fee.....	\$				
22.	Examination Fee If International preliminary examination report was prepared by USPTO and all claims satisfy provisions of PCT Article 33(1)-(4).....	\$				
	All other situations.....	\$				
23.	Search fee If Search fee (37 CFR 1.445(a)(2)) has been paid on the international application to the USPTO as an International Searching Authority..... If International Search Report was prepared and provided to the Office.... All other situations.....	\$ \$ \$				
TOTAL OF 21, 22 AND 23 =					\$	0
Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing or computer program listing filed in an electronic medium). The fee is \$250 for each additional 50 sheets of paper or fraction thereof.						
Total Sheets	Extra sheets	Number of each additional 50 or fraction thereof (round up to a whole number)	RATE			
- 100 =	/50 =		X \$ 250			
Surcharge of \$130 for furnishing the oath of declaration later than <input checked="" type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492(e)).				\$	130	
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE			
Total claims	- 20 =		X \$ 50			
Independent claims	- 3 =		X \$ 200			
MULTIPLE DEPENDENT CLAIM(S) (if applicable)			+ \$ 360			
TOTAL OF ABOVE CALCULATIONS =				\$	130	
Reduction of 1/2 for filing by small entity, if applicable. Verified Small Entity Statement must also be filed (Note 37 CFR 1.9, 1.27, 1.28).				\$		
SUBTOTAL =				\$	130	
Processing fee of \$130 for furnishing the English translation later than <input type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492(f)).				\$		
TOTAL NATIONAL FEE =				\$	130	
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40 per property				\$		
TOTAL FEES ENCLOSED =				\$	130	
					Amount to be: refunded	\$
					charged	\$

a. ☐ A check in the amount of \$_____ to cover the above fees is enclosed.

b. ☒ Please charge Deposit Account No. 19-0134 in the name of Novartis in the amount of \$130 to cover the above fees. A duplicate copy of this form is enclosed.

c. ☒ The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 19-0134 in the name of Novartis.

NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.

Send all correspondence to the address associated with Customer No. 001095, which is currently:

Novartis
Corporate Intellectual Property
One Health Plaza, Building 104
East Hanover, NJ 07936-1080

Gregory D. Ferraro
Attorney for Applicants
Reg. No. 36,134
(862) 778-7831



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
 United States Patent and Trademark Office
 Address: COMMISSIONER FOR PATENTS
 P.O. Box 1450
 Alexandria, Virginia 22313-1450
 www.uspto.gov

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/537,869	Francis Flat	PC/4-32818A

INTERNATIONAL APPLICATION NO.
PCT/EP03/14406

I.A. FILING DATE	PRIORITY DATE
12/17/2003	12/18/2002

1095
 NOVARTIS
 CORPORATE INTELLECTUAL PROPERTY
 ONE HEALTH PLAZA 104/3
 EAST HANOVER, NJ 07936-1080

GDF

CONFIRMATION NO. 6691
 371 ACCEPTANCE LETTER



OC000000017310611

Date Mailed: 10/25/2005

NOTICE OF ACCEPTANCE OF APPLICATION UNDER 35 U.S.C 371 AND 37 CFR 1.495

The applicant is hereby advised that the United States Patent and Trademark Office in its capacity as a Designated / Elected Office (37 CFR 1.495), has determined that the above identified international application has met the requirements of 35 U.S.C. 371, and is ACCEPTED for national patentability examination in the United States Patent and Trademark Office.

The United States Application Number assigned to the application is shown above and the relevant dates are:

<u>07/06/2005</u>	<u>07/06/2005</u>
DATE OF RECEIPT OF 35 U.S.C. 371(c)(1), (c)(2) and (c)(4) REQUIREMENTS	DATE OF COMPLETION OF ALL 35 U.S.C. 371 REQUIREMENTS

A Filing Receipt (PTO-103X) will be issued for the present application in due course. **THE DATE APPEARING ON THE FILING RECEIPT AS THE " FILING DATE" IS THE DATE ON WHICH THE LAST OF THE 35 U.S.C. 371 (c)(1), (c)(2) and (c)(4) REQUIREMENTS HAS BEEN RECEIVED IN THE OFFICE. THIS DATE IS SHOWN ABOVE.** The filing date of the above identified application is the international filing date of the international application (Article 11(3) and 35 U.S.C. 363). Once the Filing Receipt has been received, send all correspondence to the Group Art Unit designated thereon.

The following items have been received:

- Copy of the International Application filed on 06/07/2005
- Copy of the International Search Report filed on 06/07/2005
- Copy of IPE Report filed on 07/06/2005
- Oath or Declaration filed on 07/06/2005
- U.S. Basic National Fees filed on 06/07/2005
- Priority Documents filed on 06/07/2005
- Power of Attorney filed on 07/06/2005
- Specification filed on 07/06/2005
- Claims filed on 07/06/2005
- Abstracts filed on 07/06/2005



Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5).

PAULETTE R KIDWELL

Telephone: (703) 308-9140 EXT 216

PART 1 - ATTORNEY/APPLICANT COPY

FORM PCT/DO/EO/903 (371 Acceptance Notice)



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

U.S. APPLICATION NUMBER NO. 10/537,869	FIRST NAMED APPLICANT Giles Victor Campion	ATTY. DOCKET NO. PC/4-32818A
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1095
NOVARTIS
CORPORATE INTELLECTUAL PROPERTY
ONE HEALTH PLAZA 104/3
EAST HANOVER, NJ 07936-1080

INTERNATIONAL APPLICATION NO. PCT/EP03/14406	
I.A. FILING DATE 12/17/2003	PRIORITY DATE 12/18/2002

CONFIRMATION NO. 6691
371 FORMALITIES LETTER



OC000000017160708

Date Mailed: 10/06/2005

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495):

- Copy of the International Application filed on 06/07/2005
- Copy of the International Search Report filed on 06/07/2005
- U.S. Basic National Fees filed on 06/07/2005
- Priority Documents filed on 06/07/2005
- Specification filed on 06/07/2005
- Claims filed on 06/07/2005
- Abstracts filed on 06/07/2005



The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

A copy of this notice **MUST** be returned with the response.

DOCKETED FOR: Dec 6, 2005

PAULETTE R KIDWELL

Telephone: (703) 308-9140 EXT 216

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/537,869	PCT/EP03/14406	PC/4-32818A

FORM PCT/DO/EO/905 (371 Formalities Notice)